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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) SON-2965	
		Application Number 10/813,215-Conf. #3882	Filed March 31, 2004
		First Named Inventor Takashi Furukawa et al.	
Art Unit 2621		Examiner J. A. Fletcher	

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

applicant /inventor.

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

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attorney or agent acting under 37 CFR 1.34.

Telephone number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.



Docket No.: SON-2965
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takashi Furukawa, et al.

Application No.: 10/813,215

Confirmation No.: 3882

Filed: March 31, 2004

Art Unit: 2621

For: **REPRODUCING DEVICE AND METHOD,
RECORDING MEDIUM AND PROGRAM**

Examiner: J. A. Fletcher

REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF REJECTION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in full and timely response to the Office Action mailed on February 8, 2008.

Reexamination in light of the following remarks is respectfully requested.

**PARAGRAPH 3 OF THE OFFICE ACTION INDICATES A REJECTION OF
CLAIM 14 UNDER 35 U.S.C. §112**

This rejection is traversed at least for the following reasons.

While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, the cancellation of claim 14 has been proposed within the Amendment After Final Action Under 37 C.F.R. 1.116 filed on May 2, 2008.

Withdrawal of this rejection is respectfully requested.

PARAGRAPH 5 OF THE OFFICE ACTION INDICATES A REJECTION OF
CLAIMS 12-14, 16, AND 18-22 UNDER 35 U.S.C. §102 AS ALLEGEDLY BEING
ANTICIPATED BY U.S. PATENT NO. 6,009,236 TO MISHIMA ET AL. (MISHIMA)

This rejection is traversed at least for the following reasons.

Claims 12-14, 16, and 19-22 - While not conceding the propriety of this rejection and in order to advance the prosecution of the above-identified application, the cancellation of claims 12-14, 16, and 19-22 has been proposed within the Amendment After Final Action Under 37 C.F.R. 1.116 filed on May 2, 2008.

Claim 18 - The placement of claim 18 into independent form has been proposed within the Amendment After Final Action Under 37 C.F.R. 1.116 filed on May 2, 2008.

Claim 18 is drawn to a reproducing device adapted to play back video data recorded on an information recording medium, the reproducing device comprising:

a controller adapted to set reproduction speeds of the video data, said reproduction speeds including a normal playback and a high-speed playback, said high-speed playback being at a higher speed than said normal playback;

a drive adapted to read out said video data from the information recording medium, said video data including main track data being read out during said normal playback and low resolution data being read out during said high-speed playback; and

a decoder adapted to generate an output image from said video data, said output image being viewable on a screen,

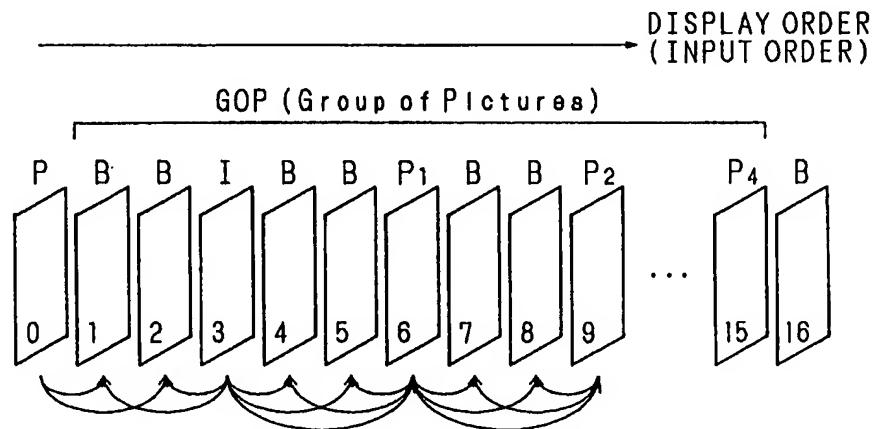
wherein, during said normal playback, said screen displays a frame of said main track data,

wherein, during said high-speed playback, said screen is divided into areas, said areas of said screen partially displaying different frames of said low resolution data, and

wherein, at a transition from said high-speed playback to said normal playback, an acceleration in accordance with time required to read out and decode said main track data is calculated so as to perform deceleration at a deceleration corresponding to said calculated acceleration.

Mishima - Figure 6 of Mishima shows an outline of the inter-frame prediction coding. Pictures are divided into three types, namely an intra-frame coded picture (hereinafter referred to as an *I picture*), a one direction prediction coded picture (hereinafter referred to as a *P picture*), and a both direction prediction coded picture (hereinafter referred to as a *B picture*) (Mishima at column 3, lines 10-17).

FIG. 6
PRIOR ART



In the case where the coding structure shown in FIG. 6 is provided, the *high speed playback* of the picture can be performed when the data is played back in the unit of the I picture (Mishima at column 6, lines 58-63).

Figure 26 of Mishima is provided hereinbelow.

FIG. 26A

I n+4(1)
I n+3(2)
I n+2(3)
I n+1(4)
I n (5)

FIG. 26B

I n+5(1)
I n+4(2)
I n+3(3)
I n+2(4)
I n+1(5)

FIG. 26C

I n+6(1)
I n+5(2)
I n+4(3)
I n+3(4)
I n+2(5)

FIG. 26D

I n+7(1)
I n+6(2)
I n+5(3)
I n+4(4)
I n+3(5)

In this case, the format decoder 23 synthesizes one screen by playing back each one area from the I pictures of five GOP's which are continuous as shown in FIG. 26 (Mishima at column 34, lines 8-11).

Mishima, at column 34, lines 11-21 arguably teaches that in FIG. 26A, one screen portion of the playback picture is synthesized from the I pictures of nth to the n+4th GOP so that:

the I picture of the n+4th GOP is played back in area 1,

the I picture of the n+3th GOP is played back in area 2,

the I picture of the n+2th GOP is played back in area 3,

the I picture of the n+1th GOP is played back in area 4, and

the I picture of the nth GOP is played back in area 5.

However, Mishima fails to teach the presence of a transition from a special playback to a normal playback.

- *Thus, Mishima fails to disclose, teach, or suggest a reproduction device wherein, at a transition from said high-speed playback to said normal playback, an acceleration in accordance with time required to read out and decode said main track data is calculated so as to perform deceleration at a deceleration corresponding to said calculated acceleration.*

Withdrawal of this rejection and allowance of the claims is respectfully requested.

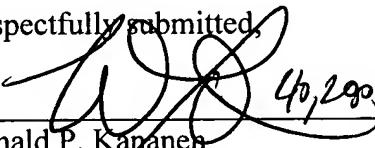
Official Notice

There is no concession as to the veracity of Official Notice, if taken in any Office Action.

An affidavit or document in support of the Official Notice taken within the Office Action is respectfully requested. 37 CFR 1.104(d)(2), MPEP § 2144.03. See also, *Ex parte Natale*, 11 USPQ2d 1222, 1227-1228 (Bd. Pat. App. & Int. 1989)(failure to provide any objective evidence to support the challenged use of Official Notice constitutes clear and reversible error).

Dated: June 9, 2008

Respectfully submitted,

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